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ABSTRACT

Information from printed sources, legal documents, and interviews with community college administrators formed the basis of an investigation of the legal, policy, and political implications of the use of formal hypnosis as an instructional augmentation in the community college classroom. Study findings included the following: (1) no formal policy exclusively tied to the use of hypnosis was found; (2) available informal policies implied general acceptance of the use of hypnosis as legitimate under specified conditions; (3) a discussion of the politics of applying hypnosis discriminated between hypnosis as a mere tool for instruction (with subject matter being the critical factor) and as a supportable or nonsupportable andragogical technique; (4) subjective reactions to the idea of using hypnosis in the classroom appeared to be modulated by the respondents' level of prior exposure to hypnosis, factual base, and political experiences with the ramifications of hypnosis; and (5) presented with a hypothetical situation of a student grievance following the use of hypnosis, all interviewees indicated that they would undertake a formal investigation of the student's allegations and the conditions under which the hypnosis took place. Based on study findings, recommendations were developed focusing on the locus and content of hypnotic instruction; professionalism and professional training; student knowledge and consent; and academic freedom. (Author/LAL)

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# THE LAW, POLICY, AND POLITICS OF FORMAL HYPNOSIS IN THE PUBLIC COMMUNITY COLLEGE CLASSROOM

POLITICS, LAW, AND ECONOMICS SEMINAR

by

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ABSTRACT

THE LAW, POLICY, AND POLITICS OF FORMAL HYPNOSIS IN THE PUBLIC COMMUNITY COLLEGE CLASSROOM

Steven Mark Sachs

The purpose of this Practicum was to investigate the legal, policy, and political implications of the use of formal hypnosis as an instructional augmentation in the public community college classroom. It was based on information from printed sources, legal documents, and interviews with community college administrators.

No formal policy exclusively tied to the subject was found. Germaine California Education Code and related citations indicated policy permisiveness to hypnosis' employment under certain conditions. Academic freedom was also discussed in this context.

Little informal policy was available; that which was discernable implied general acceptance of the instructional use of hypnosis as legitimate, again under specified conditions.

Discussion of the politics of such hypnotic application involved working through scenarios of lawsuits related to hypnosis. It served to discriminate between hypnosis as a mere tool for instruction (with subject matter being the critical factor) from hypnosis as a supportable or nonsupportable andragogical technique.

Subjective reactions to the idea of hypnosis' application to classroom instruction appeared to be modulated by the respondents' levels of prior exposure to hypnosis, factual base, and political experiences with hypnosis' ramifications.

Presentation of a hypnosis-related student grievance scenario in interview resulted in almost all respondents indicating a desire to undertake a formal investigation of the student's (or students') allegations. Such investigation would focus on the conditions under which the hypnosis occurred.

Policy was discussed and recommended to include consideration of: locus of hypnotic instruction (one center, classrooms, or some combination); content of hypnotic instruction (facts, study techniques, test-taking enhancement, etc.); professionalism and professional training in hypnosis; knowledge and consent on the students' parts; and academic freedom involved in the application of hypnosis to community college instruction.

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# THE LAW, POLICY, AND POLITICS OF FORMAL HYPNOSIS IN THE PUBLIC COMMUNITY COLLEGE CLASSROOM

## Introduction

In a report for the United States Office of Education, J. Coleman concluded that personal variables -- initial attitudes, interests, and motivation -- determine more of the variability in amount learned than any other educational input or combination of inputs under the instructor's control (Coleman, 1966). Hypnosis has been demonstrated to be extremely effective in affecting attitudes, interests, and particularly motivation (Freedman and Freedman, 1962).

The purpose of this Practicum was to investigate the legal, policy, and political implications of the use of formal hypnosis as an instructional augmentation in the public community college classroom. It did so through both document research and personal interview.

Hypnosis, which may be partially described as a state of focused attention, is a normal part of daily living (Freedman and Freedman, 1982). For example, when we are just waking up, we are in a state indistinguishable from hypnosis. This natural state has therefore been with us since the first human began to slip into unconsciousness. However, the benefits of purposefully temporally extending the state were unknown for centuries.

The history of <u>formal</u> hypnosis dates back to France in the 1700s, where Franz Anton Mesmer believed himself to

be manipulating the "animal magnetism" of people. He would seat his patients around a large table replete with metal bars and other equipment, and would chant and wave magnets over the sufferers to induce his "Mesmeric state" (later to be called, "hypnosis").

Mesmer was of course unaware of why his odd gesticulations and ceremonies affected people as much as they appeared to. But the potency of this altered yet normal state of consciousness gradually became known more generally. Mesmer and his adherents and colleagues predictably were variously worshipped and named pariahs. Yet certain adequately open-minded individuals were able to bypass dysfunctional emotionalism and deal with the mesmeric hypnotic state quite effectively.

Hypnosis was later used by Freud (in psychotherapy), Esdaile (in medicine), and countless other personages now revered for their work using hypnosis (Shor, 1979).

## Background and Significance

Throughout its history, hypnosis has been a controversial subject primarily because of two factors: ignorance and abuse. These have led to inappropriate yet powerful stigmata which still persist in the minds of the undereducated.

The chalkboard and the textbook are commonly accepted

instructional augmentations in the traditional classroom. The use of hypnosis, however, is extremely rare (Sachs, 1981). It is believed that such rarity derives in large measure from the widespread ignorance and abuse noted above.

Constructive hypnosis takes place at East Los Angeles College where Assistant Professor of Psychology David Fisher regularly uses hypnosis in his Scholastic and Personal Development classes (Munoz, 1980). Fisher's stream of hypnotic suggestions includes references to self-respect as well as proper word pronunciation, reading comprehension, and more. (His techniques were sufficiently noteworthy that Fisher was asked to provide self-hypnosis workshops for faculty and staff of the Los Angeles Community College District in 1982.)

The use of hypnosis in the community college classroom is and will be modulated by several factors. Some of the most potent of these are and will be the explicit and implicit institutional, local governing board, and public governmental policies and politics.

This Practicum assessed the status of the germaine statutes and formal and informal institutional semi-imperatives. Ultimately, it is hoped that this Practicum will become a tool for easing acceptance of effective hypnotic educational interventions.

Clearly, hypnosis, if it is used effectively and

judiciously, has tremendous potential for enhancing student learning and performance. But before it is employed in a widespread and systematized (or systematically-available) fashion, certain logistic and legal safeguards are in order. This Practicum is therefore of significant import not only to the author's institution, but to all of community college education. It is obviously within the purview of the NOVA Politics, Law, and Economics module since it addresses the politics and law relevant to the employment of hypnosis at the community college. Furthermore, insofar as hypnosis may facilitate more efficient and effective learning and instruction (see, e.g., Sears, 1955; and Rosenthal, 1944), it has economic educational impact as well. Though the scope here centers on the community college, all of education is in fact being addressed.

## Procedure

This practicum involved information-gathering from several diverse literature and human resources.

The written sources are listed in the "References" section. Approximately half of the law and case law citations were obtained through the "Westlaw" computerized search facility, with which the author scanned both California and Southeastern published case law.

Persons in the following roles were interviewed:

1. College President
2. Dean of Instruction
3. Dean of Student Services

4. Assistant Dean of Student Services
5. Student Ombudsperson
6. President, Faculty Senate
7. Vice-Chancellor, Educational Services (of a 10-college district)
8. Instructor who uses hypnosis in the classroom
9. Professional pain control specialist for the Veteran's Administration who uses hypnosis as a key tool in her work
10. Team hypnotherapists.

An attempt was made to elicit as much of the following information as possible from each respondent. The list below served as a semistructured interview device, as in, "Of what formal hypnosis-related policy are you aware?":

1. Formal policy
2. Informal policy
3. Recounting of germaine anecdotes
4. Related political dynamics
5. Subjective reaction to the idea of hypnosis in the classroom
6. Probable action taken in the hypothetical case where a student threatens to sue the institution for his/her exposure to an hypnotic induction
7. Recommended restrictions or other policy to enhance acceptability and/or legality of use of hypnosis in the classroom

## Results

### Prologue

The remainder of this section is organized under six rubrics: Formal Policy, Informal Policy, Politics, Range of Subjective Response, Range of Potential Official Response, and Policy Implications and Recommendations. Since confidentiality of respondents was promised and since one respondent per position classification was

interviewed, the position classification of the respondents will only be noted in those cases where the interaction of opinion (or recollection) and position appears to have significant import for this Practicum.

Formal Policy

No formal policy on the use of hypnosis in the community college classroom was identified in this investigation. While the study cannot be seen as exhaustive (since, e.g., not every set of Board rules for all community colleges was consulted), the evidence still provides a tremendously strong indication that no such policy exists.

For example, two persons employed to do law research in one multicampus community college district's Office of General Counsel could find no Board Rule or Education Code citation or Business and Professions Code citation speaking to the employment of hypnosis as noted above; none of this study's interviewees -- spanning the range from student ombudsperson to instructional dean to college president to Vice-Chancellor for Educational Services of a 10-college district -- knew of any formal policy; and the author could not find any formal policy, code citation, or computer-searched case law which directly and specifically addressed the question (of the use of hypnosis in the community college classroom).

There is very little formal, written policy even marginally related to the question; however, some code cita-

tions bear on the question. For example, the California Education Code, Section 49443, prohibits public school authorities and other employees from taking action which would be

> to provide for or arrange for, or otherwise engage in any activity directed to providing for, the psychological or psychiatric treatment, or both, of a pupil enrolled in a public school . . . unless the prior written consent of the parent or guardian to such . . . treatment is first obtained.

It is most interesting to note that this section does not place licensure requirements on the psychological or psychiatric practitioner; it merely requires parental or guardian permission for such a practice.

Further elucidation on this point, and the key to its relevance to the question at hand, may be found in the California Business and Professions Code, Section 2903, which states, in part,

> The practice of psychology is defined as rendering or offering to render for a fee to individuals, groups, organizations, or the public any psychological service involving the application of psychological principles, methods, and procedures of understanding, predicting, and influencing behavior, such as the principles pertaining to learning, perception, motivation, emotions, and interpersonal relationships; and the methods and procedures of interviewing, counseling, psychotherapy, behavior modification, and hypnosis . . . Psychotherapy within the meaning of this chapter means the use of psychological methods in a professional relationship to assist a person or persons to acquire greater human effectiveness or to modify feelings, conditions, attitudes, and behavior which

> are emotionally, intellectually, or socially ineffectual or maladjustive.
>
> (Emphasis added)

It appears, therefore, that with parental or guardian permission, a school pupil may be assisted through psychotherapeutic interventions, and that such interventions may include hypnosis. The citations here apparently apply to elementary and secondary students; California Education Code section 48400 identifies the charges of the above policy as those up to age 18. By extension, however, it would probably be appropriate to assume that parental or guardian permission would not be necessary for the application of psychological/psychiatric interventions for community college students 18 years of age and over; that their consent would probably be in order (see Policy Implications and Recommendations below); and that those inteventions may include both instructional and motivational thrusts.

The question of an instructor's academic freedom naturally arises here. How much precedent is there for an instructor to use atypical or unprecedented techniques he/she sees fit in the execution of the professional's instructional duties? While a full treatise on academic freedom is beyond the scope of this Practicum, certain citations should shed appropriate light on the question.

To set the stage, consider the law on "experimental school programs," which flourish primarily on the basis

of expressions of academic freedom. According to

California Jurisprudence, Volume 56 (1980),

> The [Education] Code provides that the governing board of any school district may establish one or more alternative schools which in a school or separate class group within a school operate in a manner designed to maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy; recognize that the best learning takes place when the student learns because of his desire to learn; maintain a learning situation maximizing student motivation; and encouraging the student in his own time to follow his own interests, maximize the opportunity for teachers, parents and students to cooperatively develop the learning process and its subject matter . . .

The Code is recognizing the appropriateness of using atypical techniques to operate on the motivational and other systems of the students for their own good. Now, let us consider public official liability (and instructors may be considered public officials) for use of non-traditional methods. Somewhat relevantly, an article in "The Hastings Law Journal" indicates that

> A long line of cases point (sic) out that a public official will be protected by this immunity [from civil liability] even if he acts with malice and without probable cause. However the act in question must be within the scope of the official's authority.
>
> (1957-58, P. 82)

Relatedly, Wallach and Boone (1979), in their discussion of torts, state

> A public employee is not ordinarily liable for an injury caused by his conduct in exercising discretion vested in him. Govt C Sect.

> 820.2 The employing entity is entitled to the same immunity. Govt C Sect. 815.2(b).
> (P. 127, Sect. 8.18.)

However, they go on to say,

> Discretionary immunity is restricted to basic policy decisions reached at an executive level, as contrasted with ministerial implementation of that policy at lower levels of official responsibility.
> (P. 127, Sect. 8.18.)

These may be interpreted to mean that, while a policy on the application of hypnosis in the community college classroom may be permissible (in that, e.g., the Board of Trustees or President or Dean of Instruction would represent the executive level and that, as noted above, hypnosis may be construed as an appropriate educational intervention), an instructor using hypnosis (at the "ministerial" level) may still not necessarily be immune from prosecution should he/she abuse hypnosis -- or the students -- in the course of its employment.

Informal Policy

Policy in an area as remarkable as hypnosis evolves as reactive rather than as proactive policy. In no case were any of the respondents aware of any informal policy with respect to hypnosis except in cases where hypnosis had occurred, thereafter precipitating informal policy.

Most of such policy is relatively benign. For example, one respondent knew of an instructor who had the investigation of (not the practice of) hypnosis in his

course outline. The respondent, who was in a position to set academic policy, felt that this was simply one of the skills possessed by the instructor, and that it was perfectly acceptable to talk about (and even demonstrate) hypnosis.

Anecdotally juxtaposed to this was the report of another respondent -- in a policymaking position -- who had apparently encountered a situation involving an instructor employing hypnosis in a possibly "immoral" fashion in the classroom. This respondent felt that hypnosis should not be permitted, although it could be discussed and demonstrated.

Such proscriptive reactions were very rare, however. For example, Munoz's (1980) report on Assistant Professor Fisher's use of hypnosis in the classrooms of East Los Angeles College did not result in any negative sanctions at the institution. In fact, it resulted in an invitation for the instructor to provide workshops for professors in the use of self-hypnosis. That may be seen as implying tacit institutional approval of the application of hypnosis in and out of the classroom.

Barrios (1978) reported that hypnosis, an integral part of his "Self-Programmed Counseling," was effective in improving motivation and self-image of college students, and was hence an appropriate educational intervention. In an interview with Dr. Raymond Mireles of

East Los Angeles College (1980), the professor indicated that such Self-Programmed Counseling, and its hypnotic component, appeared to be extremely effective in such motivation and self-image improvement areas, and that such improvements impacted positively on student performance. Mireles' activities were known to the college administration, and since the activities were in no way curtailed or criticized, one may conclude that the hypnotic instructional interventions were therefore sanctioned.

The author also uses hypnotic technique in his classroom, and has invited other instructors to bring their classes in for lecture/demonstration/participation. Several have taken up the offer, indirectly indicating acceptance of the appropriateness of hypnosis in the community college classroom. Furthermore, the author has submitted several "Guest Speaker Request" forms to his college's administration, seeking approval for a pair of team hypnotists to perform such lecture-demonstrations in his classroom. There have never been any problems with approval despite the fact that several instructional administrations have been individually approached for such approval.

With few exceptions, then, it appears that informal policy at the community college level permits discussions and demonstratins of hypnosis without exception.

The acutal practice of hypnosis, however, with the students acting as recipients or subjects, receives both positive and negative sanction, depending apparently on the person's prior experiences with the state of hypnosis and its underlying politics.

Politics

The politics of the use of hypnosis in the community college classroom are essentially nebulous and idiosyncratic. Those respondents with actual experiences with classroom hypnosis or with staff training in self-hypnosis appear to universally praise the method's appropriateness and utility. They seem to find it difficult to construe hypnosis as threatening in and of itself; the potential problems with hypnosis may surface if and only if this special state of consciousness is abused. This reflects significant support for the use of hypnosis. The argumentation against the application of hypnosis in the classroom, in the minds of those with actual, first-hand experience with hypnosis, would be analogous to rejection of the use of a baseball bat for the ball game since it could be used as a bludgeon.

Those respondents without first-hand experience with hypnosis either had nothing to contribute when asked about their perceptions of the politics of hypnosis, or expressed concern that classroom hypnosis could represent

(a) an invasion of privacy or (b) a springboard for student complaints.

The discussion thus far in this section has concerned itself with what might be called the micropolitics of individual opinion. On a larger plane, the question of academic freedom and level of classroom autonomy becomes relevant, as discussed above. It is typically the case that, when one considers these factors, the professional educational concern is with subject matter (e.g., do we or do we not teach spontaneous generation and evolutionary theory coequally?), and not with the techniques of teaching. The selection of the array of andragogical techniques is usually left up to the instructor's imaginative (and often the institution's fiscal) resources.

Imagine a scenario of a faculty member under fire from his/her administration for the employment of hypnosis in the classroom. One would expect the faculty member's defense to rest on questions of academic freedom and the absence of demonstrated adverse effects from hypnosis. In this scenario, it is of course assumed that the instructor is not charged with any <u>specific</u> wrongdoings, but rather with the use of hypnosis in the classroom <u>per se</u>. One would expect that if, e.g., hypnosis had been allegedly used as an <u>instrument</u> of foul play, then the foulness of the deeds and not -- at least exclusively -- the tool for such play would come under at-

tack. If a case were to be made that hypnosis somehow generated (rather than merely facilitated) untoward faculty behavior, a reasonably true test of its political potential would obtain. Fortunately, no such test appears to have taken place.

Range of Subjective Response

With apparent visions of fierce lightning bolts menacingly emerging from the evil prestidigitator's tainted phalanges, an emotional caste of furrowed brows and nonacceptance appears to have permeated the cogitations of the uninitiated. This image, although perhaps overly dramatic, in many ways typifies the depth of emotional reaction evidenced by those with inadequate knowledge of the differentiation between hypnotic technique and hypnotic application options. If he had his way, the one respondent who reported at one time having dealt with a potential student complaint would absolutely not permit any student participation in classroom hypnosis. However, this respondent would permit lectures and demonstrations as long as they did not use students. Furthermore, this respondent (one of the high-level administrators) would permit the use of hypnosis for instruction under certain conditions (see Policy Implications and Recommendations below) including a "more private setting" than a classroom.

The physical concentration of hypnotic activity in one "center" on campus, with an ostensible professional in charge, arose independently as an important placating element in two of the interviews for this Practicum. Perhaps the presumption of greater control over the institutionally related employment of the hypnotic state is an adequate precondition for its academic institution for some. This will be dealt with further in the final section below.

In most cases, however, respondents remained either nonemotional (or well-disguised) during the interviews, or were noticeably positive in their approach. With the exception of that administrator who reportedly dealt with a potential student complaint, there was a positive correlation between exposure to hypnosis and degree of positiveness (evidenced by smiles and nodding of the head up and down during germaine discussion) with respect to hypnosis' application in the classroom.

Range of Potential Official Response

All respondents were asked how they would handle a hypothetical student complaint that his/her instructor "messed up my mind" with hypnosis. The approaches to this scenario seemed to vary as a function of the respondent's position more than as a function of the individual respondent him/herself. Close to both of the extremes of

the hierarchy of respondents, the number of similar complaint reports appeared to be of great importance. If only one student made a complaint, one respondent felt that there was probably no need to even talk with the instructor about it.

As one moves up the academic hierarchy among the respondents, generally greater willingness to investigate (even one case) was evidenced, with successively greater attention to the objectivity of the investigation. One rather consistently reported avenue of investigation was the conditions under which the hypnosis occurred. Did it involve volunteers or was it mandatory? Were waivers signed or not? Had the class been forewarned or was the hypnosis "sprung" on them?

It is noteworthy that in no case was the proposed official response an automatic condemnation of the use of hypnosis in the classroom. In almost all cases an investigation -- appropriate in any case of a potentially legitimate complaint -- was seen as the necessary official avenue of response.

Regardless of the sophistication of the investigation, it became clear that there were conditions (idiosyncratic as they might have been to the respondent) under which a student may be construed to have had a legitimate grievance. It is therefore appropriate to discuss the range of possible caveats and safeguards which,

if judiciously synthesized, may result in an adequately defensible and utilitarian policy on the use of hypnosis in community college instruction.

Policy Implications and Recommendations

An adequate policy on the use of hypnosis in community college instruction must recognize the importance of the topic to which it speaks, and provide sufficient checks, balances, and other safeguards to help ensure the proper, safe, professional and constructive execution of the state (hypnosis) while not simultaneously so diluting it so as to render it worthlessly impotent. Most respondents, when prodded appropriately, generated meaningful and generally consistent caveats for inclusion in such a policy.

While the last question in the semistructured interview specifically requested policy recommendations, many of the deliberations and factors reflected below derived from other portions of the interviews. It was rare for the respondents to discuss the andragogical application of so controversial a state of consciousness as hypnosis without frequently referring to those conditions under which such application would be palatable.

Locus of hypnotic instruction. It was noted above that two of the respondents suggested that hypnotic activity might be limited to an hypnosis center or to be an

adjunct service in perhaps a school's learning resources center. Arguments in favor of such a proposal would rest on greater control and perhaps on efficiency as well. Such a center could indeed exist under close administrative scrutiny, and could "process" several classes of students at once.

Counterarguments here include the unavoidable lack of individualization of hypnotic induction approach, suggestion phraseology, and suggestion subject matter.

Knowledgeable, detailed individualization of hypnotic induction approach is reported to be a major facilitating factor in hypnotic suggestion effectiveness; one word inappropriately used in an hypnotic suggestion can render the suggestion ineffective; and of course suggestions employing or instilling memory of factual material should emanate from subject matter experts, not merely well-trained hypnotic operators (Freedman and Freedman, 1982).

A middle ground -- one between pure group hypnosis and fully individualized procedures -- is available. If subject matter specialists were trained in the proper use of hypnosis, they could do small-group (e.g., one class) and/or individual hypnosis employing accurate factual material. The college or district administration could provide guidelines (such as those proposed below) as policy prerequisites for the use of hypnosis in the classroom. At the same time, for those instructors who

would want their students to have the benefits of hypnosis but who could not or would not wish to learn hypnotic technique and logistics, a supplementary center on campus may be created for less focused but nevertheless utilitarian employment of instructional hypnosis.

Content of hypnotic instruction. One must also deal with the details of the application of this altered state of consciousness. Would it be used to enhance memory? To enhance study skills? To enhance test-taking skills? To simply assist in freeing the student from distractions during study or academic performance? To actually be the state of consciousness during the instructional session (e.g., lecture)?

One highly-placed respondent insisted that, while hypnosis as a study-skills enhancer would be totally acceptable, to use hypnosis to assist in test-taking skills would be almost sinful. The argumentation here was that in the "real world," performance was typically not facilitated by hypnosis, and that such facilitation would give those susceptible to it an unfair and unrealistic advantage.

Current memory theory, however, indicates that once a memory trace has been established in long-term memory, it is not forgotten (Hilgard, Atkinson and Atkinson, 1979, P. 229). A failure of recall is typically due to a tempo-

rary absence of appropriate memory cues or due to other interference or emotionally-related factors. Consequently it is felt that enhancing test-taking and related performance would be an appropriate instructional intervention. It is therefore recommended.

None of the other potential applications of hypnosis to community college instruction were argued against in any of the interviews or other research applicable to this Practicum. It is felt that essentially any hypnotically-related instructional intervention which would harmlessly enhance learning and/or andragogical performance should be within the range of acceptable hypnotic applications.

Professional hypnosis. One of the most frequently voiced policy recommendations -- and a point alluded to above -- was that any instructors employing the hypnotic state should have training by a professional. The problem here is that in California (and, to the writer's knowledge, in all other states) there exists no formal licensure for hypnotists per se. While it is true that licensed mental and physical health professionals such as psychologists, psychiatrists, marriage and family counselors, physicians, and dentists may use the therapeutic intervention augmentation of hypnosis, that sanction does not imply that they are professionals in the use of hypnosis. Few, if any, professional curricula include a hyp-

nosis component; in California, mental and physical health professionals who use hypnosis typically learn hypnotic methods and associated factors from non-licensed hypnotists (Freedman and Freedman, 1982). The modal hypnosis curriculum involves hypnotic history, theory, dangers, tests, and pre and post hypnotic phenomena as well as the actual techniques for hypnotic induction.

In the absence of formal licensure for hypnotists (at least in California), the identification of a professional in hypnosis is difficult at best. A policy requiring some level of training by a professional hypnotist would be either essentially uninterpretable or would have to define a professional within the policy itself.

It is of course appropriate that instructors of hypnosis be able to demonstrate not only competence at hypnosis induction, but also knowledge of pitfalls, common and uncommon physical and psychological reactions to the state, and so on. It is therefore recommended that the Superintendent of Public Instruction (or equivalent) convene a panel to identify all those competencies appropriate to an instructor of hypnosis, and then that the college/district personnel and licensure and credentialing mechanism require that hypnotic instruction derive exclusively from those instructors meeting those criteria.

It would then be appropriate to require that any instructor wishing to employ hypnosis provide proof that

he or she had successfully completed a course of instruction in hypnosis with one of these "accredited" instructors.

Knowledge and consent. Essentially all respondents felt that no student should be involved with instructional hypnosis without his or her knowledge and consent. It is therefore recommended that all students who may be provided with the opportunity for instructional hypnosis be so advised at minimum one week prior to the hypnotic induction; that each student be permitted to refuse experience with the hypnotic state without penalty; and that each student wishing to avail him or herself of the hypnotic benefits be required to sign a consent/waiver form indicating, at minimum, (a) consent to be hypnotized for instructional purposes; (b) knowledge that such consent is optional; (c) that the instructor, institution, or governing body would be held harmless for consequential damages; and (d) knowledge that refusal to sign the consent/waiver form would not result in any formal penalty.

Furthermore, any student who has not yet reached the age of majority should be required to have such a waiver signed by his or her parent or guardian before being exposed to instructional hypnosis.

Academic freedom. Finally, a policy on the instructional applications of hypnosis should contain a statement of philosophy indicating recognition of hypno-

sis as a legitimate tool to enhance learning, and as such hypnosis should be available to those instructors willing to expose themselves to adequate training and capable of maturely employing the state of hypnosis in an instructional mode.

## Conclusion

It is quite possible -- perhaps probable -- that some major areas have been untouched in this exposition of policy recommendations and guidelines on the application of hypnosis to community college instruction. Policy evolves as a joint function of objective subject matter and subjective policy writers. It is therefore dynamic not only in its genesis, but in its lifetime as well.

It was not the intent of this Practicum to be able to present fully polished, infinitely defensible, and universally acceptable policy recommendations and guidelines. Rather, this work may serve as a discussion document -- a useful springboard and foundation for a given college, district's, state's, or country's elucidated policy on instructional hypnosis.

It is evident that hypnosis has its place in the educational arsenal. What currently remains is the necessity for that place to be formalized in the interests of safety, effectiveness, and ultimately improved instruction.

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